

REMARKS

Applicant thanks the Examiner for acknowledging the claim for priority under 35 U.S.C. § 119, and receipt of a certified copy of the priority document, Japan Application No. 2002-279958, submitted September 24, 2003. Applicant also thanks the Examiner for considering the references cited with the Information Disclosure Statements filed September 24, 2003, and January 25, 2005. Finally, Applicant thanks the Examiner for indicating that the Formal Drawings filed September 24, 2003, are accepted.

Status of the Application

Claims 1-4 are all the claims pending in the Application, as claims 5-7 are hereby added. Claims 1-4 stand rejected.

Obviousness Rejection

The Examiner has rejected claims 1-4 under 35 U.S.C. § 103(a) as being unpatentable over Nichols (U.S. Patent No. 2,056,602; hereinafter “Nichols”) in view of Dull et al. (U.S. Patent No. 3,316,771; hereinafter “Dull”). This rejection is respectfully traversed.

Claim 1

The Examiner takes the position that Nichols discloses many of the features recited in claim 1, but fails to teach or suggest a silent chain having links with inside and outside flanks having circular shaped profiles of the same radius such that the center of each radius is on the pitch line. (Office Action, pg. 2-3). Further, the Examiner finds a motivation for the combination in that it would have been obvious to one of ordinary skill at the time to modify the inner and

outer flanks of Nichols so the center of radii is located on the pitch line in view of Dull, in order to allow a smooth transition. (Office Action, pg. 3)

In contrast, even if it were possible to modify Nichols in view of Dull as the Examiner has alleged, Applicants submit that neither Nichols, Dull, nor any combination thereof, teaches or suggests an inside flank and an outside flank that are “profiled by a circular shape of a same radius of curvature whose individual center of curvature is on a pitch line of the silent chain, and each of the teeth of the sprocket wheel is profiled by the circular shape of the same radius of curvature of the inside flank and the outside flank of the link plate,” as recited in claim 1.

Specifically, Nichols fails to disclose any particular profile of the inside or outside flank of a link or the corresponding sprocket teeth. Further, Dull fails to disclose any radius of curvature at all. The Examiner takes the position that Dull discloses radii of (a-0) and (0-b) in Fig. 1, with a center (0) on the pitch line. However, Dull clearly describes the distances (a-0) and (0-b) as merely the minimum distance from the pintle axis 0 to the interior and exterior working surfaces of the link, not as a tooth profile. (pg.2, 1st col., lines 63-69). Further, Dull teaches that this is a minimum distance to ensure at least a two point contact between a chain tooth and the adjacent sprocket teeth. (pg.2, 1st col., lines 69-75) Thus, (0-a) and (0-b) are minimum distances and not radii for defining a profile of a circular shape as alleged by the Examiner.

Applicant respectfully submits that independent claim 1 is patentable over the applied references Nichols and Dull. Further, Applicant respectfully submits that rejected dependent

claims 2-4 are allowable by virtue of their dependency and for the features and limitations cited therein. Thus, Applicants respectfully request that the Examiner withdraw this rejection.

New Claims

Claims 5-7 are hereby added. Claim 5 is fully supported *at least* by the paragraph bridging pg. 7 and 8, and the 1st and 2nd full paragraph on pg. 8 of the instant Application. Claims 6-7 are respectfully submitted to be allowable both by virtue of their dependency, and by virtue of the features recited therein.

Conclusion

In view of the foregoing, it is respectfully submitted that claims 1-7 are allowable. Thus, it is respectfully submitted that the application now is in condition for allowance with all of the claims 1-7.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment Under 37 C.F.R. § 1.111
U.S. Appln No. 10/668,239

Atty Dkt No. Q76635

Please charge any fees which may be required to maintain the pendency of this application, except for the Issue Fee, to our Deposit Account No. 19-4880.

Respectfully submitted,



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